

City Council – Action Request Form

Date: 2/12/2024

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Patrice Toney, Assistant City Manager
Shantell McClam, Neighborhood Services Department, Director
Bryan Chaney, Neighborhood Services Department, CE Sr. Project Supervisor

Council Action Requested:

The adoption of an Ordinance ordering the Neighborhood Services Department of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Strategic Focus Area: Livable Neighborhoods

Strategic Objective: Improve Character and Condition of Neighborhoods

Strategic Plan Action Item: No

Key Work Item: Yes



Summary of Information:

The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS LESS THAN FIFTY PERCENT OF VALUE OF STRUCTURE (<50%) SIX MONTHS

Owner	Property Location	Block & Lot(s)
Patio Court Apartments LLC	111 Lakeview Blvd	3193 013A

Committee Action:

Committee	CD/H/GG – 2/12/24	Action	Held in Committee until 4/8/24
	<u>CD/H/GG – 4/8/24</u>		<u>4/8/24- Approval</u>
For	<u>4/8/24- Unanimous</u>	Against	<u></u>

Remarks:

Held in Committee until 4/8/24
Approved 4/8/24

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF
THE CITY OF WINSTON-SALEM**

WHEREAS, the Neighborhood Services Department, after due notice and hearing, determined that the property hereinafter described in Exhibit (s) was unfit for human habitation; and

WHEREAS, either the Mayor and City Council adopted an ordinance or the Housing Conservation Administrator issued a repair or vacate and close order; and

WHEREAS, the repairs necessary to render the structure fit for human habitation would cost less than fifty percent (<50%) of the present value of the structure; and

WHEREAS, the owner of the property herein described in Exhibit(s) vacated and closed said structure and kept it vacated and closed for a period of six months pursuant to said Order; and

WHEREAS, the Mayor and City Council hereby finds that:

- (1) Six months has passed since the structure was vacated and closed pursuant to the previous order.
- (2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.
- (3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to

ease the persistent shortage of decent and affordable housing in this State and City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The owner(s) of the property herein described in Exhibit(s) is hereby ordered to repair or demolish and remove said property within ninety days.

Section 2. In the event the owner(s) fails to comply with this order of the Mayor and City Council within the prescribed time period, the Neighborhood Services Department of the City of Winston-Salem is hereby ordered and authorized to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property herein described by causing said dwelling be repaired or demolished and removed.

Section 3. The property to which this ordinance applies is known and described as set out in Exhibit(s) attached hereto and incorporated herein by reference.

Section 4. This ordinance shall become effective upon its adoption, and a copy hereof, certified by the City Clerk of the City of Winston-Salem, shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantors index, as provided by law.

INSTRUMENT DRAWN BY:

CITY ATTORNEY



Neighborhood Services
Department

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
336-722-8000
CityofWS.org

CODE ENFORCEMENT PURSUANT TO HOUSING CODE: ___ SEC. 10-203(e)
 SEC. 10-203(f)(1)
 ___ SEC. 10-203(f)(2)

CASE SUMMARY:

HOUSING FILE NO.: CE-H-UN-11-06-1271
 PROPERTY ADDRESS: 111 LAKEVIEW BLVD
 WARD: EAST
 PROPERTY OWNER(S): PATIO COURT APARTMENTS LLC
 LIS PENDENS #: 20M1181 DATE LIS PENDENS FILED: 10/12/2020

DUE PROCESS:

1. The current **Complaint and Notice of Hearing** was issued 7/21/2011 and service was obtained by certified mail; regular; posting; ___ hand delivery and ___ publication on 7/31/2011. The Hearing was held on 8 /19 / 2011 and the owner/agent ___ did did not appear and/or contact the Community Development Department regarding the complaint.
2. The **Finding and Order** was issued on 9 / 29 / 2011 and service was obtained by certified; regular; posting; ___ hand delivery, and ___ publication on. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. The time for compliance expired on 10/9/2011. The dwelling was found vacated and closed on 9/10/2012.
3. The dwelling became eligible for demolition under the six (6) month rule ___ 65% rule on 3/10/2013.
4. The notification letter was sent on 12/19/2023 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 2/12/2023. The notice further advised that if the owner(s) intended to request an extension of time, they should present evidence of their intent to the Neighborhood Services Director prior to the Committee meeting. The Director ___ was was not contacted. Additionally, the owners of the property agreed to bring the property into compliance with the city's Minimum Housing Code pursuant to a forbearance agreement which the owners did not comply with.

COMMENTS (if any):

COUNCIL CONSIDERATION:

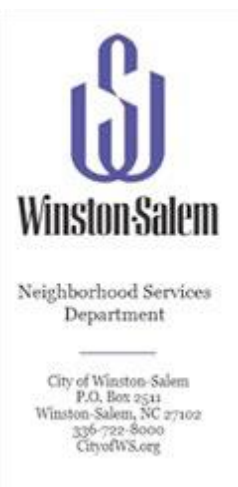
The estimated cost to make repairs to needed to render this dwelling fit for human habitation:

- ___ exceeds sixty-five percent (65%) of the value of the dwelling.
 is less than fifty percent (<50%) of the present value of the dwelling.
 ___ is more than fifty percent (>50%) of the present value of the dwelling.

Estimated cost to repair structure \$8,789.80 Fair market value of structure \$25,000

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be:

- ___ removed or demolished.
 ___ repaired or demolished and removed within ninety (90) days or, if eligible, repaired under In Rem provisions of the Minimum Housing Code with City Council approval.
 demolished and removed within ninety (90) days.



PROPERTY DESCRIPTION EXHIBIT

Property on which housing ordered demolished pursuant to Ordinance adopted the

_____ day of _____, 20_____.

111 LAKEVIEW BLVD

The housing located at **PIN NO. 6846-33-7127.000** as hereinafter described,

OWNER NAME: PATIO COURT APARTMENTS LLC

The above described lot being known and designated as

PIN NO. 6846-33-7127.000

said map being recorded in the Office of the Register of Deeds of Forsyth County, North Carolina.

The above described property being known as **PIN NO. 6846-33-7127.000** as shown on the Forsyth County Map in the Office of the Tax Supervisor, Forsyth County Government Center, 201 N. Chestnut Street, Winston-Salem, NC.



Neighborhood Services
Department

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
336-722-8000
CityofWS.org

CODE DEFICIENCIES - EXHIBIT A

CASE NO: CE-H-UN-11-06-1271

NEIGH. CONSERVATION OFFICER: Shawn Helm - 336-734-1271

LOCATION: 111 LAKE VIEW BV, WINSTON-SALEM, NC 27105

Violation	Status	Date	Comments
REPAIR OR REPLACE SCREENS ON DOORS	UNFIT	06/17/2011	UNDERSIZED.
REPAIR OR REPLACE SCREENS ON WINDOWS	UNFIT	06/17/2011	
REPLACE BROKEN WINDOW PANES	UNFIT	06/17/2011	
REPAIR TUB FIXTURES	UNFIT	06/17/2011	LEAKING FACUET.
REPLACE WALL SURROUND AT BATHTUB	UNFIT	06/17/2011	
REPAIR DEFECTIVE LIGHT FIXTURES	UNFIT	06/17/2011	BATHROOM.
FUSE BOX OVERLOADED FUSE INCORRECT.	UNFIT	06/17/2011	
REPAIR HOLES IN WALLS AND CEILINGS	UNFIT	06/17/2011	



203

113

111

28 Mar 2024



**Historic Resources
Commission**

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.forsythcountyhrc.org

Memorandum

TO: Tiffany Harris
FROM: Michelle M. McCullough, Historic Resources Staff
DATE: January 31, 2024
SUBJECT: Demolitions for February 12, 2024
Community Development/Housing/General Government Committee Meeting

Historic Resources staff has reviewed the four properties that are scheduled to go before the Community Development/Housing/General Government Committee on February 7, 2024 for demolition consideration. Per the list provided by Community Development, the proposed demolitions are:

1. 5020 Rushland Drive – West Ward
2. 261, 263, 265, 267 Harrington Circle (all connected – fire) – East Ward
3. 211, 213 Lakeview Boulevard (all connected) – East Ward
4. 111, 113 Lakeview Boulevard (all connected) – East Ward

Local Historic Landmarks or Local Historic/Historic Overlay Districts or National Register Historic Districts

None of the buildings are Local Historic Landmarks or located within a locally designated historic district or have been designated to the National Register of Historic Places. Therefore, there are no recommendations for these structures currently.

cc Preservation Forsyth

From: Tiffany Harris <tiffanyt@cityofws.org>
Sent: Wednesday, January 31, 2024 1:13 PM
To: Michelle McCullough <michellem@cityofws.org>
Subject: Demolitions

Hi Michelle,

I hope you are doing well. The properties listed below are going to Committee February 12th for demolition consideration. Is it possible to have the report by February 7th?

5020 Rushland Drive



261, 263, 265, 267 Harrington Circle – all connected – fire damage



211, 213 Lakeview Boulevard – all connected



111, 113 Lakeview Boulevard – all connected



Tiffany P. Harris
Senior Administrative Assistant
O: 336-734-1264
F: 336-747-9414
www.cityofws.org
tiffanyt@cityofws.org

All e-mails including attachments sent to and from this address are subject to being released to the media and the public in accordance with the North Carolina Public Records Law.